

## ORDINANCE NO. \_\_\_\_\_

1           AN ORDINANCE creating a business improvement district under the authority of  
2 the Business Improvement District Act (Neb. Rev. Stat. § 19-4015 et seq.)(Reissue  
3 1997) to be known as the University Place Maintenance District for the purpose of  
4 providing maintenance of certain public facilities and improvements in the University  
5 Place area of the City of Lincoln, Nebraska; providing for special assessments to be  
6 imposed within the district based upon the benefits conferred and providing maximum  
7 limits upon the first of such assessments.

8           BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

9           Section 1. Public Hearing; Protests to Creation. That a resolution entitled  
10 "Resolution of Intention to Establish a Business Improvement District for the Provision  
11 of Maintenance of Certain Public Facilities and Improvements in the area of North 48th  
12 Street from Colby Street on the south to the half block north of Adams Street on the  
13 north and St. Paul Avenue from North 47th to North 50th Streets" was adopted by the  
14 Lincoln City Council on February 25, 2002 as Resolution No. A-81349; that notice of  
15 such Intention was properly made by publication and by mailing a copy of said  
16 resolution to each owner of taxable property as shown on the latest tax roles of the  
17 County Treasurer within the proposed district; that a public hearing on such Intention  
18 was held by the City Council on February 25, 2002 during the regular City Council  
19 meeting commencing at 5:30 p.m. in the City Council Chambers on the first floor of the  
20 County-City Building, 555 South 10th, Lincoln, Nebraska; that at such public hearing,  
21 the City Council heard all protests and received evidence for and against the proposed

1 Business Improvement District; that the City Council has ruled upon all written protests  
2 to the creation of such district which were received prior to the close of the hearing, and  
3 finds that protest was not made by the record owners of over fifty percent (50%) of the  
4 assessable units in the proposed district.

5 Section 2. Creation and Purpose of the District; Public Facilities and  
6 Improvements Included. That the University Place Maintenance District is hereby  
7 established. The work to be performed within the district shall include:

- 8 a. Litter and refuse removal from sidewalks, planting areas, and  
9 beautification areas within the public right-of-way.
- 10 b. Care and maintenance, including replacement, of all landscaping,  
11 including watering, fertilizing, weeding, pruning, spraying, and  
12 removal and replacement of dead plantings.
- 13 c. Maintenance (excluding repair) of sidewalks.
- 14 d. General maintenance of median signs including repair and  
15 repainting.

16 Section 3. Boundaries of the District; Property Included Within the District.

17 The boundaries of the proposed Business Improvement District shall  
18 generally extend along North 48th Street from Colby Street on the south to the half  
19 block north of Adams Street on the north and St. Paul Avenue from the east curb of  
20 North 47th Street to the west curb of North 50th Street. Said boundaries and the  
21 property included therein are all more specifically shown on the map which is attached  
22 hereto, marked as Attachment A, and made a part hereof by reference.

1           Section 4. Method of Assessment. The cost and expenses for the work to be  
2 performed within the University Place Maintenance District shall be levied as special  
3 assessments, fairly and equitably based upon the special benefits to the property within  
4 the district. Such special assessments shall be levied annually on a front-foot basis  
5 and, for the first year of the existence of said district, is proposed to not exceed \$1.25  
6 per front foot (\$8,625.00).

7           Failure to pay any assessment or installment when due shall subject the owner  
8 of the assessed property to the payment of such rate of interest for delinquent  
9 assessments and to such collection and foreclosure procedures as are authorized by  
10 state law.

11           Section 5. Effective Date. That this ordinance shall take effect and be enforce  
12 from and after its passage and publication according to law.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
Assistant City Attorney

Staff Review Completed:

\_\_\_\_\_  
Administrative Assistant

Approved this \_\_\_\_ day of \_\_\_\_\_, 2002:

\_\_\_\_\_  
Mayor